



Attorney Docket No. CSI 1.0-007CIP

**DECLARATION AND POWER OF ATTORNEY FOR PATENT  
APPLICATION**

(Patent, Design or CIP Application)

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR TREATING PULMONARY DISEASE STATES IN  
MAMMALS BY ALTERING INDIGENOUS *IN VIVO* LEVELS OF NITRIC  
OXIDE**

the specification of which:  
(check one)

\_\_\_\_\_ is attached hereto.

  X   was filed on 30 December 2003 as

Application Serial No. 10 / 747, 963

and was amended on \_\_\_\_\_.  
(if applicable)

\_\_\_\_\_ was described and claimed in  
International Appln. No. \_\_\_\_\_,  
filed on \_\_\_\_\_,  
and was amended on \_\_\_\_\_.  
(if applicable)

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. on this 23rd of June, 2004.

By Richard R. Muccino

Richard R. Muccino

Reg. No. 32,538

date

23 June 2004

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

Application Number	Country	Filing Date	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
10/205,353	25 July 2002	pending
PCT/US02/26060	15 August 2002	pending

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s), to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Richard R. Muccino      Registration No. 32,538

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Alain Martin

Full name of  
first Inventor

Alain Martin

Inventor's signature

Alain Martin

Date

1/5/04

Residence and  
Mailing Address

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Ringoes  
New Jersey 08551

Country of  
Citizenship

United States of America

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**Title 37, Code of Federal Regulations, Section 1.56(a)**

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.